

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS

In Re:)
JOSEPH A. VAUDO) Chapter 13
Debtor) Case No 19-13881-fjb
)

**CREDITOR ANTHONY PREVETT OBJECTION TO CONFIRMATION OF THE
DEBTOR'S CHAPTER 13 PLAN**

Anthony Prevett objects to the debtor's Chapter 13 Plan for the following reasons:

1. The debtor filed the present Chapter 13 petition on November 12, 2019.
2. The debtor's prior Chapter 13 case was dismissed because he was unable to afford the plan payments. His income in this plan is less than in the prior Chapter 13 petition. The plan payments in the prior case did not include any payments to the secured creditor Anthony Prevett. This plan makes no provision to pay the interest only note payments of \$4,798.02 to Anthony Prevett, which are secured by a first mortgage on the home.
3. The current plan makes no provision to pay the prepetition arrearages of \$11,818.98 owed to Anthony Prevett.
4. The debtor has not paid for insurance on the property. The evidence of insurance expired, and it was the policy paid for by the secured creditor Anthony Prevett.

5. The debtor lists the value of the business assets at \$61,550.00, which amount will not be sufficient to pay the secured creditor in full.
6. The monthly income is insufficient to pay the post-petition interest on the note.
7. The liquidation value of the business of \$61,550 includes \$51,500 for 4 vehicles owned by the business that on information and belief have loans against them. The balance of \$10,050.00 will not pay Anthony Prevett in full.
8. There is no time frame for the sale of the business which the debtor said was imminent in June, 2019.
11. The debtor is not paying the real estate taxes on his home, and there is no provision for the mortgage, insurance or real estate taxes on the debtor's schedules.

Wherefor the creditor Anthony Prevett requests that the court sustain the objection to confirmation, and for such other relief as is proper.

Dated: December 13, 2019

Anthony Prevett
By his attorneys
Mayer, Antonellis, Jachowicz & Haranas LLP

/s/Robert P. Jachowicz
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IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MASSACHUSETTS

IN RE: |

JOSEPH A VAUDO |

| Chapter 13

Debtor |

| Case No. 19-113881

CERTIFICATE OF SERVICE

I, Robert P. Jachowicz, hereby certify that on December 13, 2019 a copy of the foregoing Notice of Appearance was served on the following parties whose names appear below by ECF, unless otherwise indicated.

- Carolyn Bankowski-13-12 13trustee@ch13boston.com
- Peter M. Daigle pmdaigleesq@yahoo.com, daiglelawoffices@gmail.com;r43947@notify.bestcase.com
- John Fitzgerald USTPRegion01.BO.EDF@USDOJ.GOV
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Manual Notice List

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/s/ Robert P. Jachowicz

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